



PTO/SB/22 (10-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)  
ARC920030051US1

In re Application of Hongxia Jin

Application Number 10/723,725

Filed November 26, 2003

For "A Tamper-Resistant Trusted Java Virtual Machine ..."

Group Art Unit 2131

Examiner

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1)) \$ 110.00  
☐ Two months (37 CFR 1.17(a)(2)) \$ \_\_\_\_\_  
☐ Three months (37 CFR 1.17(a)(3)) \$ \_\_\_\_\_  
☐ Four months (37 CFR 1.17(a)(4)) \$ \_\_\_\_\_  
☐ Five months (37 CFR 1.17(a)(5)) \$ \_\_\_\_\_

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 09-0441 International Business Machines I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor

- ☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ attorney or agent of record.
- ☐ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

05/12/2004

Date

05/19/2004 MBERHE 00000121 090441 10723725  
01 FC:1251 110.00 DA

Signature

Samuel A. Kassatly

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Adjustment date: 08/03/2004 EEKUBAY1  
05/19/2004 MBERHE 00000121 090441 10723725  
01 FC:1251 110.00 CR

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**SAMUEL A. KASSATLY**Attorney-at-Law  
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San Jose, CA 95120  
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Facsimile: (408) 323-5112

orbsak@pacbell.net

2004 JUL -8 AM 8:38  
**FACSIMILE TRANSMITTAL**

DATE: July 7, 2004	FROM: Samuel A. Kassatly
TO: <b>ATTENTION: REFUND SECTION, ACCOUNTING DIVISION, OFFICE OF FINANCE</b>	TELEPHONE NO.: (408) 323-5111
U.S. Patent and Trademark Office	FACSIMILE NO.: (408) 323-5112
<b>FACSIMILE NO.: 703-308-5077 / 6778</b>	ATTY DOCKET NO.: ARC920030051US1
	SUBJECT: Request for Refund
	Deposit Account: 09-0441

Title: CA Tamper-Resistant Trusted Java Virtual Machine and Method of  
Using the SameC

Applicants: Hongxia Jin, et al.

Attorney Docket No.: ARC920030051US1

Serial No.: 10/723,725

Examiner:

Filed: November 26, 2003

Art Unit: 2131

TOTAL NUMBER OF PAGES INCLUDING THIS COVER PAGE 5

**The refund is requested for the following reason:**

- 1) The notice to file missing parts, dated March 12, 2004, gave applicants two months (that is until May 12, 2004) to submit the missing documents (the front page of the notice is enclosed).
- 2) The missing documents were actually mailed to the USPTO on May 12, 2004, but the Transmittal Fee that was submitted by Applicants' Attorney, copy enclosed, incorrectly included a fee for a petition for extension of time (\$110), even though no such fee was required.

Respectfully submitted,



Samuel A. Kassatly

Reg. No. 32,247

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**CERTIFICATE OF FAXING**I hereby certify that this correspondence is being faxed to the U.S. Patent and Trademark Office, to fax No. 703-308-5077/6778, on July 7, 2004.

Samuel A. Kassatly

Sir:

**REQUEST FOR REFUND**  
(Improper charge of Deposit Account)

**1. REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account 09-0441 shown in the statement dated May 2004 for the above-identified 2004 JUL -8 AM 8:38

☒ application ☐ patent

☐ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

**AMOUNT OF  
REFUND  
REQUESTED**

<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	_____
<input checked="" type="checkbox"/> extension of term	<u>\$110</u>
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess dependent claims	_____
<input type="checkbox"/> excess independent claim	_____
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____
<input type="checkbox"/> patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input type="checkbox"/> other _____	_____
_____	_____
_____	_____
<b><u>TOTAL REFUND REQUESTED</u></b>	<b><u>\$110</u></b>

**II. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

Enclosed please find a copy of the fee transmittal form in the subject patent application clearly indicating that the fee is to be charged to the following deposit account: 09-0441.

**III. MANNER OF REFUND**

Please make refund by:

- ☒ crediting Account No. 09-0441 - International Business Machines  
☐ refunding payment

2004 JUL -8 AM 8:38

Respectfully submitted,



Samuel A. Kassatly (Reg. No. 32,247)  
July 7, 2004

Samuel A. Kassatly Law Office  
20690 View Oaks Way  
San Jose, CA 95120  
Telephone no. (408) 323-5111  
Facsimile no. (408) 323-5112  
Attorney Docket No. IBM-187.ARC

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# PATENT MAINTENANCE DIVISION UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
AUXILIARY COMMISSIONER FOR PATENTS  
P.O. Box 1473  
Alexandria, Virginia 22304-1473  
www.uspto.gov

APPLICATION NUMBER	FILING OR 37 CFR 1.53(b) DATE	INVENTOR(S) NAME	ATTORNEY FEE REFERENCE NUMBER
10/723,725	11/26/2003	Honzia Jin	ARC920030051US1

Samuel A. Kassatly  
6819 Trinidad Drive  
San Jose, CA 95120

CONFIRMATION NO. 9783

## FORMALITIES LETTER

0000000012087405

Date Mailed: 03/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

#### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 2, 3, 4B.

#### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

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PATENT MAINTENANCE  
DIVISION

REST AVAILABLE COPY

PATEM (10-03)

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110)

**Complete if Known**

Application Number	10/723,725
Filing Date	November 26, 2003
First Named Inventor	Hongda Jin
Examiner Name	
Art Unit	2131
Attorney Docket No.	ARC920030051US1

2004 JUL -8 AM 8:38

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

09-0441

International Business Machines

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 100	2005 50	Provisional filing fee	
SUBTOTAL (1) (\$)			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 85	2201 43	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 85	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			0

\*or number previously paid, if greater. For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 80	2052 40	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,520	2812 1,260	For filing a request for ex parte reexamination	
1804 920	2804 460	Requesting publication of BIR prior to Examiner action	
1805 1,840	2805 920	Requesting publication of BIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	2451 755	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or release)	
1502 480	2502 240	Design issue fee	
1008 640	2008 320	Plant issue fee	
1450 130	2450 65	Petitions to the Commissioner	
1807 50	2807 25	Processing fee under 37 CFR 1.17(g)	
1808 180	2808 90	Submission of Information Disclosure Sheet	
8021 40	2801 20	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 450	Request for accelerated examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110)

**SUBMITTED BY**

Name (Print/Type)

Samuel A. Kassatly

Registration No.

32,247

Telephone 408-323-5111

Signature

Date 05/12/2004

WARNING: Information on this form may become public. Credit card information should not

be included on this form. Provide credit card information and authorization on PTO-2028.

This collection of information is required by 37 CFR 1.17 and 1.37. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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